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REMARKS

Applicant appreciates the thorough review of the present application, as evidenced by the non-Official Action. Applicant also appreciates the withdrawal of the rejections set forth in the previous final Official Action, and the reopening of prosecution of the present application. Despite withdrawing the rejections of the previous final Official Action, however, the Official Action rejects all of the claims, namely Claims 17-40, under 35 U.S.C. § 102(e) as being anticipated by newly located U.S. Patent No. 6,282,489 to Bellsfield et al. As explained in more detail below, Applicant respectfully submits that the Bellsfield patent neither teaches nor suggests the claimed invention. As such, Applicants respectfully traverse the rejection of the claims under § 102(e) as being anticipated by the Bellsfield patent.

The Bellsfield patent discloses an automated travel planning apparatus and method that includes a map database, a routing database and a places of interest database. In operation, upon receipt of a selected geographic region, the apparatus displays a bit-mapped image of the region from images in the map database. A user then selects a departure and destination point, and the routing database is used to generate a route between the selected departure and destination points. Also, if the user requests a list of places of interest near the route, the places of interest database can be utilized to generate a list of places of interest that are within a predetermined distance of the generated route. In this regard, the places of interest database organizes the places according to common geographic centers, which may comprise the cities with which the respective places are most commonly associated. More particularly, then, the list of places of interest are generated according to geographic centers within the predetermined distance of the route between the departure and destination points.

As recited by independent Claims 17 and 23 of the present application, a method is provided for retrieving information, and searching and retrieving information, respectively. The method includes sending or receiving a request identifying a first site, and range data defining a distance from the first site. Trip planning information is then received or output, where the trip planning information is selected based on the identified site and the range data. In contrast to the method of independent Claims 17 and 23, the Bellsfield patent does not teach or suggest a method for retrieving information including receiving a request including range data. In this

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regard, the Bellsfield patent determines points of interest within a predefined distance without receiving, from a user or otherwise, the predefined distance. See Bellsfield Abstract ("[T]he place selection component employs the places of interest database to ... display a list of places of interest which are within a predetermined distance of the generated route.") (emphasis added); see also col. 3, lines 46-50; col. 10, lines 65-67; col. 10, line 67 to col. 11, line 2; and col. 12, lines 12-15. As such, whereas the claimed invention of independent Claims 17 and 23 permits users to vary the area around (range data) the first site within which to search for a location of interest (as recited in dependent Claim 34), the Bellsfield patent does not teach or suggest altering the distance from the route within which to search for points of interest. In this regard, in accordance with embodiments of the present invention, the user may be capable of expanding the area around (range data) the first site if insufficient information is found in response to a query including a given area around the first site. See Pat. App. p. 15, line 24 to p. 16, line 2; and FIG. 8 at step 26.

Applicant therefore respectfully submits that the methods of independent Claims 17 and 23 are patentably distinct from the Bellsfield patent. As such, Applicant also respectfully submits that the rejection of independent Claims 17 and 23 under 35 U.S.C. § 102(e) as being anticipated by the Bellsfield patent is overcome. And as dependent Claims 18-22 and 24-28 depend, directly or indirectly, from independent Claims 17 and 23, respectively, dependent Claims 18-22 and 24-28 include all of the limitations of a respective independent claim, and as such, are patentably distinct from the Bellsfield patent for at least the reasons given above in conjunction with independent Claims 17 and 23. In this regard, Applicant respectfully submits that the rejection of dependent Claims 18-22 and 24-28 under 35 U.S.C. § 102(e) as being anticipated by the Bellsfield patent is also overcome.

As recited by independent Claims 29 and 38, a method is provided for retrieving information, and searching and retrieving information, respectively. The method includes sending or receiving a request identifying at least a first site, a second site and a type of location of interest. Thereafter, information associated with the first and second sites is received or sent, where the information is selected based upon the type of location of interest and, as recited in independent Claim 29, using a geometric shape generated based upon the first and second sites.

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In contrast to the claimed invention of independent Claims 29 and 38, the Bellsfield patent does not teach or suggest a method of retrieving information, or searching and retrieving information, including receiving a request including a type of location of interest. Further, the Bellsfield patent does not teach or suggest receiving or sending information selected based upon the type of location of interest. As indicated above, the Bellsfield patent discloses a method for displaying a travel route including receiving a selected region, along with departure and destination points. Locations of interest are then generated based upon a predetermined distance from a route between the departure and destination points. In contrast to the claimed invention of independent Claims 29 and 38, then, nowhere does the Bellsfield patent teach or suggest receiving a type of location of interest, but instead describes generating a list of locations of interest without any mention of user input in defining the location of interest. Further, nowhere does the Bellsfield patent teach or suggest selecting any information based upon a type of location of interest, as recited by independent Claims 29 and 38. Rather, the method of the Bellsfield patent generates a list of locations of interest based upon a route between departure and destination points with no disclosed consideration of the type of locations of interest.

Applicant respectfully submits, then, that the methods of independent Claims 29 and 38 are patentably distinct from the Bellsfield patent. As such, Applicant also respectfully submits that the rejection of independent Claims 29 and 38 under 35 U.S.C. § 102(e) as being anticipated by the Bellsfield patent is overcome. And as dependent Claims 30-31 and 39-40 depend from independent Claims 29 and 38, respectfully, dependent Claims 30-31 and 39-40 include all of the limitations of a respective independent claim, and as such, are patentably distinct from the Bellsfield patent for at least the reasons given above in conjunction with independent Claims 29 and 38. In this regard, Applicant respectfully submits that the rejection of dependent Claims 30-31 and 39-40 under 35 U.S.C. § 102(e) as being anticipated by the Bellsfield patent is also overcome.

Independent Claims 32 and 35 of the present application recite methods for searching and retrieving information, and for retrieving information, respectively. As recited, the methods include receiving or sending a request including a site and a type of location of interest. Then, trip planning information is provided or received based upon the site, the type of location of

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interest, and a range. In this regard, the range is based upon stored information associated with the type of location of interest, e.g., whether the location of interest is the Empire State Building or Yellowstone National Park. *See*, e.g., Pat. App. p. 14, lines 20-25.

In contrast to the methods of independent Claims 32 and 35, and as explained above in relation to independent Claims 29 and 38, the Bellsfield patent does not teach or suggest receiving a type of location of interest. Instead, the Bellsfield patent discloses generating a list of locations of interest based upon a route between specified departure and destination points without input from the user as to the location of interest. Also in contrast to the methods of independent Claims 32 and 35, and as explained above in relation to independent Claims 17 and 23, the Bellsfield patent does not teach or suggest providing or receiving information based upon a range that is based upon stored information associated with a type of location of interest. In this regard, the only range disclosed by the Bellsfield patent is predetermined. And nowhere does the Bellsfield patent teach or suggest that the predetermined range is based in any way upon stored information associated with a type of location of interest. Rather, as disclosed by the Bellsfield patent, the list of places of interest is generated based upon the predetermined range, as opposed to the range being based upon a type of location of interest.

Like with independent Claims 17, 23, 29 and 38, Applicant respectfully submits that the methods of independent Claims 32 and 35 are patentably distinct from the Bellsfield patent. Applicant also respectfully submits, then, that the rejection of independent Claims 32 and 35 under 35 U.S.C. § 102(e) as being anticipated by the Bellsfield patent is overcome. Further, as dependent Claims 33-34 and 36-37 depend, directly or indirectly, from independent Claims 32 and 35, respectfully, dependent Claims 33-34 and 36-37 include all of the limitations of a respective independent claim, and as such, are patentably distinct from the Bellsfield patent for at least the reasons given above in conjunction with independent Claims 32 and 35. Applicant therefore respectfully submits that the rejection of dependent Claims 33-34 and 36-37 under 35 U.S.C. § 102(e) as being anticipated by the Bellsfield patent is also overcome.

In addition to the reasons given in conjunction with respective independent claims, various of the dependent claims recite additional features patentably distinct from the system and method of the Bellsfield patent. For example, dependent Claims 22 and 28 recite that trip

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planning information includes locations of interest, and that the locations of interest each provide services similar to services provided by a second site. In contrast, nowhere does the Bellsfield patent teach or suggest identifying locations of interest that each provide services similar to services provided by a second site included in the request. As explained above, the Bellsfield patent discloses generating a list of locations of interest based upon departure and destination points, and a route between the departure and destination points. The Bellsfield patent discloses that a places of interest database includes places of interest data that identify places of interest by a name and a geographic center. Nowhere does the Bellsfield patent teach or suggest that the places of interest data identifies services provided by each place of interest. And even if the names in the places of interest data can be considered to identify services, nowhere does the Bellsfield patent teach or suggest identifying locations of interest associated with a second site, where the locations of interest provide services similar to services provided by the second site, as recited by dependent Claims 22 and 28.

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CONCLUSION

In view of the remarks presented above, Applicant respectfully submits that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicant's undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

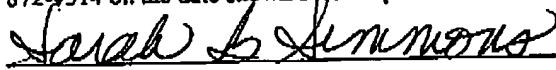


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CERTIFICATION OF FACSIMILE TRANSMISSION

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